

**As a below named inventor, I hereby declare that:**

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter (an original, first and joint inventor) which is claimed and for which a utility patent is sought on the invention entitled:

## METHODS OF TREATING CANCER WITH HDAC INHIBITORS

the specification of which:

☒ was filed on **October 24, 2003**, as United States Non-Provisional Application U.S.S.N. **10/692,523**, formerly bearing Attorney Docket No. **24852-501 CIP4**, now Attorney Docket No. **24852-513**.

☐ is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

☐ I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application designating at least one country other than the United States listed below and have also identified below any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

[illegible]

Applicants: Richon and Kelly  
Attorney Docket: 24852-513  
U.S.N.: 10/692,523

☒ I hereby claim the benefit under Title 35, United States Code, § 119(e) or §120 of any United States application(s), or §365(c) of any PCT International application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

Application No. (U.S.S.N.)	Filing Date (dd/mm/yy)	Status (Patented, Pending, Abandoned)
10/379,149	04/03/03	Pending
60/361,759	04/03/02	Abandoned

PCT International Applications designating the United States:

PCT International Application No.	PCT Filing Date	Status

I hereby appoint MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO P.C., Customer Number: 35437, as Applicant's attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, with full power of substitution and revocation to take any and all action necessary with regard to the above-identified patent.

Please address all telephone calls and correspondence to:

Ivor R. Elrifi  
MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO P.C.  
666 Third Avenue – 24<sup>th</sup> Floor  
New York, NY 10017  
Telephone: (212) 935-3000  
Telefax: (212) 983-3115  
Customer Number: 35437

Applicants: Richon and Kelly  
Attorney Docket: 24852-513  
U.S.S.N.: 10/692,523

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or patent issued thereon.

*Victoria M. Richon*

*17 May 07*

**Inventor's Signature:**

Date

Full Name of Inventor: Victoria M. Richon

Citizenship: United States of America

Residence: ~~19 Oakland Circle~~ *5 Wareland Road*

Wellesley, MA 02481

Post Office Address: same as above

**Inventor's Signature:**

Date

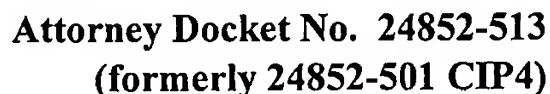
Full Name of Inventor: William Kevin Kelly

Citizenship: United States of America

Residence: 15 Fields Lane

Scotch Plains, NJ 07076

Post Office Address: same as above



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I hereby appoint MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO P.C., Customer Number: 35437, as Applicant's attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, with full power of substitution and revocation to take any and all action necessary with regard to the above-identified patent.

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Ivor R. Elrifi  
MINTZ, LEVIN, COHN, FERRIS, GLOVSKY AND POPEO P.C.  
666 Third Avenue – 24<sup>th</sup> Floor  
New York, NY 10017  
Telephone: (212) 935-3000  
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Applicants: Richon and Kelly  
Attorney Docket: 24852-513  
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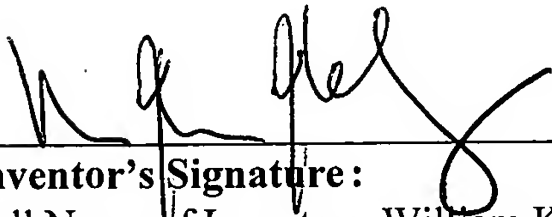
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**Inventor's Signature:**

Full Name of Inventor: Victoria M. Richon  
Citizenship: United States of America  
Residence: 5 Wareland Road  
Wellesley, MA 02481  
Post Office Address: same as above

---

Date



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**Inventor's Signature:**

Full Name of Inventor: William Kevin Kelly  
Citizenship: United States of America  
Residence: 15 Fields Lane  
Scotch Plains, NJ 07076  
Post Office Address: same as above

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Date

7/13/07



Attorney Docket Number: 24852-513  
(formerly 24852-501 CIP4)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Bacopoulos et al. CONFIRMATION NUMBER: 9840  
SERIAL NUMBER: 10/692,523 EXAMINER: Cybille Delacroix-Muirheid  
FILING DATE: October 24, 2003 ART UNIT: 1614  
FOR: METHODS OF TREATING CANCER WITH HDAC INHIBITORS

**MAIL STOP PETITION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**WRITTEN CONSENT OF ASSIGNEE  
TO CORRECTION OF INVENTORSHIP**

Pursuant to 37 C.F.R. §1.48(a)(5), the undersigned, on behalf of **MERCK HDAC RESEARCH, LLC**, the assignee of this application, hereby consents to the correction of the inventorship in the above-referenced application. The undersigned hereby states that he or she is an official empowered to act on behalf of the assignee.

Respectfully submitted,

Name: 

David A. Muthard

Date: May 29, 2007

Title: Managing Counsel, Patents

Company: Merck HDAC Research, LLC.